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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 09/927,965

Filing Date: August 10, 2001

Applicant: Michael A. Harvey *et alia*

Title: Lateral Flow Plasma Separation Device

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}
} **Petition to Revive a**
} **Patent Application**
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OFFICE OF PETITIONS

Commissioner for Patents
BOX PETITION
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE A PATENT APPLICATION

Pursuant to 37 CFR 1.137, Applicant petitions the Commissioner for Patents to revive the above identified patent application. The entire delay in filing was unavoidable. Applicants also request that the fee for extending time also be waived in view of the unavoidable delay.

The delay in filing comes from the following facts. An office action in the above-identified patent application was apparently mailed sometime after Jun 11, 2003 to Applicants' attorney. However, Applicants' attorney did not receive the mailing. (Applicants' attorney is a solo practitioner who handles his mail directly.)

Last week, Examiner Kim called Applicants' attorney to confirm that no response would be forthcoming (a service that is appreciated). Upon learning of the existence of an outstanding action, Applicants' attorney immediately started working on the accompanying response.

Applicants failure to respond in time is due solely to the failure to receive a copy of the office action of June 11th, and thus, is unavoidable.

Applicants have included along with this petition the following: a petition fee and a copy of an Amendment in response to the office action in question.

Respectfully submitted:


Brian D. Voyce Reg. No. 28917

919-968-6306
8401 Sterling Bridge Road
Chapel Hill, NC 27516

DATE: January 14, 2004

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CERTIFICATE OF MAILING

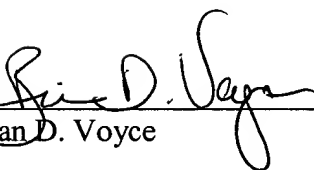


I, Brian D. Voyce, attorney for the Applicant in Serial Number 09/927,965 filed 08/10/01, hereby certify and declare that the following documents attached hereto, have been deposited with the United States Postal Service, being addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, having been affixed with proper postage for Express Mail delivery, EJ528284773US, this 14th day of January 2003:

A Petition to Revive a Patent Application

Petition Fee

Copy of amendment


Brian D. Voyce